

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: MIETKIEWSKA, Elzbieta; TAYLOR, David, C.; KATAVIC, Vesna
Serial No.: 10/596,024
Filed: May 15, 2007
Title: FATTY ACID ELONGASE (FAE) GENES AND THEIR UTILITY IN
INCREASING ERUCIC ACID AND OTHER VERY LONG-CHAIN
FATTY ACID PROPORTIONS IN SEED OIL
Group: 1638
Examiner: Vinod Kumar
Attorney Ref.: PAT 989W-2 US

December 20, 2010

Mail Stop: AF
Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia
22314-1450
U.S.A.

Dear Sir:

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

This letter is in response to the Notice of Non-Compliant Amendment (37 CFR 1.121).
Applicant respectfully requests reconsideration and withdrawal of the Notice as the letter filed
on November 5, 2010 was a submission of proposed claims in preparation for a telephone
interview with Examiner Kumar on the same date.

Following that telephone interview, applicant filed a Request for Continued Examination and a
Response on November 25, 2010 which, it is respectfully submitted, is compliant. We note
that this Request for Continued Examination and Response have been made part of the
USPTO Public PAIR record for this case.

Appln. No. 10/596,024
Submission dated December 20, 2010
Response to Notice of Non-Compliant Amendment dated Nov. 29, 2010

The Commissioner is hereby authorized to charge any additional fees, and credit any over payments, to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.

Respectfully submitted,

First Inventor's Name, et al

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